

Delegated Report

Planning Ref: 24/01077/HHGDO
Applicant: Mr And Mrs J Bayliss
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 123 Dragon Lane Newbold Verdon Leicester

Proposal: Notification to determine if Prior Approval is required for a single storey rear extension measuring 4.00 metres in depth; 3.60 metres at ridge height and 2.40 metres at eaves

1. Recommendations

- 1.1. This is an application for prior notification under Condition A.4. of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a larger home extension.

2. Planning application description

- 2.1. This is a larger home extension notification applying for the a single storey extension to the rear elevation measuring 4.00 metres in depth from the original wall; 3.60 metres in height to the ridge; and 2.40 metres to the eaves at 123 Dragon Lane, Newbold Verdon.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey semi-detached residential dwelling situated within the settlement boundary of Newbold Verdon. The application dwelling comprises red brick and cream render to the walls, brown interlocking tiles to the roof and white uPVC to the windows, it has a flat roof canopy porch, along with dual bay windows to the front elevation.
- 3.2. It is set back from the highway behind a wide grassed verge and has an enclosed grassed frontage with no vehicular access from Dragon Lane itself. Instead, to the rear there is a shared service road that provides vehicular access to the rear garden and off-street parking. The rear garden is enclosed by solid close boarded timber fencing of varying height between 2.00 metres and 1.50 metres and detached buildings within neighbouring gardens.
- 3.3. The application dwelling lies within a row of similarly scaled and styled semi-detached two storey houses with some variety in appearance.

4. Relevant planning history

- None relevant.

5. Publicity

- 5.1. Not required for this application type.

6. Consultation

- 6.1. The following neighbouring properties were consulted;

- 121 Dragon Lane, Newbold Verdon, Leicester, Leicestershire, LE9 9NH;
- 125 Dragon Lane, Newbold Verdon, Leicester, Leicestershire, LE9 9NH.

6.2. No comments have been received.

7. Policy

7.1. Condition A.4. of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A National Planning Policies and Guidance.

8. Appraisal

8.1. A main consideration in respect to this notification is whether any neighbouring properties have objected and whether the development will impact upon the amenity of any adjoining neighbour. No objections have been received.

8.2. The single storey rear extension measures 4.00 metres in depth from the original wall; 3.60 metres in height to the ridge; and 2.40 metres to the eaves and will not extend beyond existing side elevations. The proposed development will not result in a site cover exceeding 50% of the total area of the curtilage (excluding the original dwelling house). These measurements fall within the parameters for larger house extensions to detached houses detailed in the TCPA 2015 Sch 2 Part 1, Class A. The proposed materials are to match the existing house.

8.3. The determination of this application is assessed on whether the proposed development falls within permitted development for a Larger Homes Extension as set out under The Town and Country Planning (General Permitted Development) (England) order 2015 Schedule 2 Part 1, Class A (as amended). For the purpose of Class A, the following criteria are acceptable:

Development is not permitted if:-

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Permission to use the dwellinghouse as a dwellinghouse has not been granted by Class M, N, P or Q of Part 3 of this Schedule.

- b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings within the curtilage would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The proposed extension would not exceed the height of the existing dwellinghouse.

- d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves of the proposed extension would not exceed that of the original dwellinghouse.

The proposed eaves of the extension would not exceed the height of the eaves of the existing dwellinghouse.

- e) The enlarged part of the dwellinghouse would extend beyond a wall which:-
 - (i) Forms the principal elevation of the original dwellinghouse; or
 - (ii) Fronts a highway and forms a side elevation of the original dwellinghouse

The proposed extension would not extend beyond the principal elevation of the original dwellinghouse and does not front a highway.

- g) For a dwellinghouse not on article 2(3) land nor on a site of specific scientific interest the enlarged part of the dwellinghouse would have a single storey and-
 - (i) Extend beyond the rear wall of the dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) Exceed four metres in height;

The development would not extend beyond the rear wall by more than 6.00 metres, and would not exceed 4.00 metres in height.

- h) The enlarged part of the dwellinghouse would have more than one storey and:-
 - (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The proposed extension would be single storey in nature.

- i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed extension would be within 2.00 metres of the boundary of the curtilage of the dwellinghouse and the eaves would not exceed 3.00 metres in height.

- j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would :-
 - (i) Exceed 4 metres in height
 - (ii) Have more than one storey, or
 - (iii) Have a width greater than half the width of the original dwellinghouse

The proposed extension would not extend beyond a wall forming a side elevation of the original dwellinghouse.

- ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

The enlargement does not adjoin any existing enlargement, therefore paragraph ja is not relevant in this case.

- k) It would consist of or include:-
- (i) The construction or provision of a veranda, balcony or raised platform,
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse

The proposed extension would not include i, ii, iii or iv.

9. Equality implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

10. Recommendation

10.1. No objections have been received and based on the submission the proposed extension would comply with the relevant provisions of Class A. Therefore prior-approval is not required.

10.2. This application has been determined having regard to the following documents and plans submitted with the application:

- Notification of a Proposed Larger Home Extension application form
- Existing, Proposed, Roof Plan, Elevations, Floor Plan, Drg No. 2024/9504/01C as received by the Local Planning Authority on the 25th November 2024.

11.1 Notes to applicant

- This permission does not grant approval under the Building Act 1984 and the Building Regulations 2010 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.